

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 * * *

4 LARRY JAQUESS,

5 Plaintiff,

6 v.

7 US,

8 Defendant.
9

Case No. 2:16-cv-01710-APG-VCF

**ORDER ACCEPTING REPORT &
RECOMMENDATION AND DENYING
MOTION FOR RECONSIDERATION**

(ECF Nos. 54, 61)

10 On April 18, 2017, Magistrate Judge Ferenbach entered a report and recommendation that
11 I dismiss the complaint because plaintiff Larry Jaquess did not timely file an amended complaint
12 as directed. ECF No. 54. Jaquess filed a motion for reconsideration, which I construe as an
13 objection to the report and recommendation. ECF No. 61. Jaquess asserts that he does not
14 understand what it means to not have an operative complaint and he requests I explain it to him.

15 I conducted a de novo review of the issues set forth in the report and recommendation. 28
16 U.S.C. § 636(b)(1). Judge Ferenbach sets forth the proper legal analysis and factual basis for the
17 decision. I previously granted leave for Jaquess to file an amended complaint by January 6, 2017.
18 ECF No. 47. In that order, I described what the amended complaint must contain. *Id.* He did not
19 file an amended complaint. Instead, he filed a series of motions and notices. *See* ECF Nos. 51-59.
20 Jaquesss therefore has not complied with my prior order and there is no complaint for the court to
21 adjudicate in this case, despite Jaquess having multiple opportunities to file one.

22 IT IS THEREFORE ORDERED that Judge Ferenbach's report and recommendation (ECF
23 No. 54) is accepted, plaintiff Larry Jaquess's motion for reconsideration (ECF No. 61) is
24 DENIED, and the complaint is DISMISSED without prejudice. The clerk of court is instructed to
25 close this case.

26 DATED this 2nd day of August, 2017.

27 
28 ANDREW P. GORDON
UNITED STATES DISTRICT JUDGE